

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MAJOR BOYD WHITLEY, )  
                        )  
Plaintiff,            )  
                        )  
v.                    )                 1:19CV358  
                        )  
                        )  
SHERIFF VAN SHAW, et al., )  
                        )  
Defendants.           )

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on July 6, 2020, was served on the parties in this action. Plaintiff objected to the Recommendation. (Doc. 35.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination, which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's motion for summary judgment (Doc. 23) be DENIED.

/s/ Thomas D. Schroeder  
United States District Judge

August 10, 2020